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03/29/2004

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EXAMINER

ENG, DAVID Y

ART UNIT

PAPER NUMBER

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MAIL DATE

DELIVERY MODE

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



### **DETAILED ACTION**

Claims 1-33, 35-47, 51-90, 94-97, 99-120 and 122-125 have been cancelled. Newly submitted claims 132-135 have been entered. The active claims are 34, 48-50, 91-93, 98, 121 and 126-135 with 121 being independent claims.

### **Substitute Specification**

The substitute specification filed on 4/6/2010 has not been entered because 1. the specification based on which the substitute specification was amended is not the original specification filed on 3/29/2004 and because the substitute specification contains new matter. The description newly inserted in the substitute specification has no support in the original specification.

### **Summary of the Invention**

Applicants are requested to submit a new summary of the invention which is directed to the elected claims.

### **Abstract**

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract

Art Unit: 2455

on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

The present abstract contains legal phraseology. See line 5 and the last line for examples.

***Claim Rejections - 35 USC § 112, 1<sup>st</sup> paragraph***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 34, 48-50, 91-93, 98, 121 and 126-135 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The claims have no support in the original specification (hereinafter “the specification”) filed on 3/19/2004. The specification fails to disclose a method having steps and limitations as recited in the rejected claims.

***Claim Rejections - 35 USC § 112, 2<sup>nd</sup> paragraph***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 34, 48-50, 91-93, 98, 121 and 126-135 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The terms “entity attributes” and “identifying characteristic” in the preamble of claim 121 are vague and indefinite. It is not clear what they are. The term “application”, in the 8th last line of claim 121, and the terms “item, element, issue or service” in the second last paragraph of claim 121 have similar defect.

It is not seen how the steps as recited would provide a method for providing a first user entity with virtual, unique, private, personal, social network formed from connections between contacts. There are no steps recited for rendering a virtual, unique, private, personal social network. Connections between contacts would not automatically result in a virtual, unique, private, personal social network.

***Claim Rejections - 35 USC § 103***

Art Unit: 2455

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 34, 48-50, 91-93, 98, 121 and 126-135 rejected under 35 U.S.C. 103(a) as being unpatentable over examiner's Official Notice.

It appears that the claims are directed to a method for forming a social network through Internet. Social network such as Face Book, dating network, Instant Messaging, VPN, etc. built over the Internet, are well known in the art. It would have been obvious to a person of ordinary skill in the art to build a social network using the existing Internet by connecting the members of the social network. No novelty, improvement or inventive concept is seen.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

Art Unit: 2455

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAVID Y. ENG whose telephone number is 571-272-3984. The examiner can normally be reached on M-F from 8AM to 3PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, SALEH NAJJAR, can be reached on 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/DAVID Y. ENG/  
Primary Examiner, Art Unit 2455